

REMARKS

Applicant wishes to thank Supervisory Patent Examiner Padmanabhan and Examiner Carter for the courteous interview extended to the undersigned and Dr. Stuart Shanler on January 7, 2010. As set forth in the Interview Summary, the Examiners agreed that claims 48, 53-59 and 61-63 would be in condition for immediate allowance if amended in accordance with the Interview Summary.

In accordance with the Interview Summary and the agreement reached therein, Applicant has (i) amended claim 48 to incorporate claims 49 and 60; (ii) amended claim 53 to recite the other agents to treat other manifestations of rosacea other than erythema or other skin conditions; and (iii) amended claim 61 to recite oxymetazoline. With regard to claim 53, specific support for the amendments may be found at, e.g., paragraphs [0060] and [0061] of the specification. In this regard, the specification recites that the compositions may contain an α_1 -adrenoreceptor agonist to act on the erythematous component of the condition to be treated and another agent known to be effective in treating another manifestation of the disease state. In addition, the specification also recites that the compositions may contain an α_1 -adrenoreceptor agonist with active agents for treating other skin complaints, conditions and afflictions, such agents being further described in paragraphs [0062] to [0076] of the specification. Accordingly, no new matter has been added.

In addition, Applicant has amended the specification on page 23 to correct a typographical error and to clearly indicate the missing alpha symbols (i.e., α) in the Table on page 23, as requested by the Examiner.

Accordingly, by entry of this Amendment and Response, claims 48, 53-59 and 61-63 are pending and claims 1-47, 49-52 and 60 are canceled. Applicant respectfully submits that claims 48, 53-59 and 61-63 are in condition for final allowance and notice to such effect is respectfully requested.

CONCLUSION

In the event that an additional fee is required for this response, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 50-0436.

Should the Examiner have any questions or comments, or need any additional information from Applicant's attorney, he is invited to contact the undersigned at his convenience.

Respectfully submitted,



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